

EXHIBIT 57

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CIVIL ACTION CASE NO. 2:08-CV-1567

DR. FADI CHAABAN; DR. SABINO R. TORRE, DR.
CONSTANTINOS A. COSTEAS and DR. ANTHONY J.
CASELLA, as Trustee of Diagnostic & Clinical:
Cardiology, P.A. Profit Sharing Plan,

Plaintiffs,

vs.

DR. MARIO A. CRISCITO,

Defendant.

Friday, December 11, 2009

ORIGINAL

Deposition of MARIO A. CRISCITO, M.D., VOLUME
II, before Nancy A. Miani, a Certified Court Reporter,
License No. XI00814, at the offices of WITMAN,
STADTMAUER, ESQS, 26 Columbia Turnpike, Florham Park,
New Jersey, on Friday, December 11, 2009, at 10 a.m.

MIANI COURT REPORTING
CERTIFIED COURT REPORTERS
1741 DANIEL COURT
WALL, NJ 07719
(732) 681-4776

1 A P P E A R A N C E S:

2 WITMAN, STADTMAUER, ESQS.
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4 Attorneys for the Plaintiffs

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8 ALSO PRESENT:

9 Anthony Casella, M.D.

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1 that?

2 A. Yes, sir.

3 Q. What is the Surf Club?

4 A. A club, Surf Club. A club in Florida.

5 Q. Is it a country club?

6 A. It's not a country club, it's a Surf
7 Club. I don't know. It's on the water, Surf Club.

8 Q. Do they have a golf course?

9 A. No, sir.

10 Q. Do they have a marina?

11 A. No.

12 Q. Do they have a pool?

13 A. Yes.

14 Q. What other facilities do they have?

15 A. Eating, restaurants.

16 Q. Okay. More than one?

17 A. Yes.

18 Q. How many?

19 A. About four.

20 Q. Okay. Are you a member there?

21 A. Yes, sir.

22 Q. How long have you been a member there?

23 A. Several years.

24 Q. Were you a member in 2001?

25 A. I believe so.

1 A. Yes, sir.

2 Q. Did you direct those transfers?

3 A. They were -- may have.

4 Q. Okay. Well, it says per letter of
5 authorization. Are you the one who authorized those
6 transfers?

7 A. May have.

8 Q. Is there anyone else that you know who
9 would have?

10 A. No, sir.

11 Q. Okay. Do you know the reason those funds
12 were transferred?

13 A. Not off hand. I may have taken them as a
14 loan.

15 Q. When you say you may have taken them as a
16 loan, are you referring to the same method you used
17 with the withdrawals from Sovereign Bank?

18 A. Yes, sir.

19 Q. So the plan would lend you the money as a
20 loan, and then ultimately -- and you would do what you
21 wanted with the money, and ultimately you would treat
22 it as a distribution?

23 A. Correct.

24 Q. Do you know if that's what you did with
25 those two dollar amounts?

1 A. May have.

2 Q. Turn, please, to the next page, which is
3 Bate stamped MC 927. At the top it stays for month
4 ending May 31, 2000, there is a reference to 11
5 Chadwick Road. That was your home address in 2000,
6 correct?

7 A. Yes.

8 Q. If you look under where it says debits to
9 your account, there's an entry that says withdrawal,
10 \$75,000. Do you see that?

11 A. Yes.

12 Q. Okay. Do you know what that money was
13 for?

14 A. No, sir.

15 Q. Do you know if you treated it as a loan?

16 A. I don't know. I don't recall offhand.

17 Q. Okay. Turn, please, to the next page,
18 which is Bate stamped -- I'm sorry. Marked MC 930.
19 At the top it says for month ending May 31, 2000, and
20 under withdrawal, it has \$75,000, and under initial
21 information, it says B-E-N-E: Evelyn Langley Greer.
22 Do you see that?

23 A. Yes.

24 Q. Do you know what purpose that money was
25 sent for?

1 A. Not offhand, no.

2 Q. Do you know who Evelyn Langley Greer is?

3 A. No.

4 Q. Never heard of her?

5 A. No.

6 Q. Okay. Turn, please, to the next page,

7 which is MC 956. It says for the month ending

8 September 30, 2000. Under debits to your account, on

9 the right side, for withdrawals it says minus

10 \$350,000. Do you see that?

11 A. Yes, sir.

12 Q. Do you know what purpose that was for?

13 A. No, sir.

14 Q. Do you know where the money went?

15 A. I may have taken it as a loan.

16 Q. But do you know what you did with it?

17 A. No, sir.

18 Q. Turn, please, to the next page, which is

19 MC 958, and it says wired funds sent, \$350,000, and

20 then it says B-E-N-E, Mario A. Criscito. Do you see

21 that?

22 A. Yes.

23 Q. Do you know what purpose that transfer

24 was for?

25 A. No, sir.

1 Q. Okay. Go to the next page, which is MC
2 970. Under debits to your account, for withdrawals it
3 says minus \$250,000. Do you see that?

4 A. Yes, sir.

5 Q. Do you know what purpose that was for?

6 A. No, sir.

7 Q. Turn to the next page, which is MC 972.
8 Under withdrawal, it says \$250,000, and under
9 additional information, it has Postx Corp, that's
10 P-O-S-T-X Corp. Do you see that?

11 A. Yes.

12 Q. Do you know what Postx Corp. is?

13 A. It was a venture capital.

14 Q. Do you know what -- when you say a
15 venture capital, was that something you invested in?

16 A. Yes, sir.

17 Q. And so this money was an investment in
18 that?

19 A. No, it was a loan to me to that.

20 Q. I'm sorry. This was a loan to you
21 personally to invest in Postx?

22 A. Correct.

23 Q. Did you eventually treat this as a
24 distribution?

25 A. Yes, sir.

1 Q. Go, please, to page MC 70. Under
2 withdrawals, there's \$150,000. Do you know what
3 that's for?

4 A. No, sir.

5 Q. Okay. This also says for month ending
6 January 31, 2001. There's a reference to Mario A.
7 Criscito, TTEE, and an address of 11 Chadwick Road,
8 Livingston, New Jersey. That was your address in
9 2001, correct?

10 A. Correct.

11 Q. Do you know if this was treated as a
12 distribution ultimately by you?

13 A. Yes, sir. Probably.

14 Q. But do you know for sure?

15 A. It probably was. I don't know. It
16 probably was, but I don't remember.

17 Q. Okay. Go to the next page, which is MC
18 78. Under withdrawals, it says minus 265,680. Do you
19 know what that was for?

20 A. Not off hand, no, sir.

21 Q. Do you know if that was treated as a
22 distribution ultimately?

23 A. Yes, sir.

24 Q. It was?

25 A. Yes.

1 Q. You're sure?

2 A. I believe so.

3 Q. But when you say you believe so, does
4 that mean you're a hundred percent positive?

5 A. I ain't a hundred percent positive of
6 anything.

7 Q. Okay. Turn to the next page, please. MC
8 81, the top entry, withdrawal, 265,680. It says
9 Citibank Pillsbury. Do you know what that refers to?

10 A. No.

11 Q. No idea?

12 A. No idea.

13 (There is a discussion off the record.)

14 Q. You don't know what Citibank Pillsbury
15 is?

16 A. No, sir.

17 Q. Turn to the next page, please, which is
18 MC 84. Under debits for withdrawals, it says
19 \$250,000. Do you know what that is for?

20 A. No, sir.

21 Q. Okay. Turn to the next page, which is MC
22 86. At the bottom it says withdrawal, \$250,000,
23 B-E-N-E, Mario A. Criscito. Do you know what that
24 withdrawal is for?

25 A. Don't know.

1 Q. Turn to the next page, which is MC 90.
2 Under withdrawals, it says 143,686.01. Do you know
3 what that's for?

4 A. No, sir.

5 Q. Turn to the next page, which is MC 132.
6 Under withdrawals it says \$250,000. Do you know what
7 that is for?

8 A. No, sir.

9 Q. Turn to the next page, which is MC 134.
10 Under withdrawals, it says \$250,000, B-E-N-E, Mario A.
11 Criscito. Do you know what that's for?

12 A. No, sir.

13 Q. Turn to the next page, which is MC 152.
14 Under withdrawals it says minus 5,218.50. Do you know
15 what that is for?

16 A. No, sir.

17 Oh, it says Surf Club.

18 Q. Because if you look at MC 155, it says
19 funds paid, 5,218.50 paid to Surf Club. Do you see
20 that?

21 A. Yes, sir.

22 Q. That's the same Surf Club we were talking
23 about before?

24 A. Yes, sir.

25 Q. Do you know what those funds were paid

1 for?

2 A. Same.

3 Q. What, food and --

4 A. Food, entertainment.

5 Q. How did it work at the Surf Club in terms
6 of paying for food and entertainment, did you sign a
7 chit?

8 A. Yes, sir.

9 Q. Okay. You didn't use cash?

10 A. No, sir.

11 Q. Take a look, please, now we're going into
12 2002, and on page MC 209, it says Mario A. Criscito,
13 TTEE, 11 Chadwick Road, Livingston, New Jersey. Is
14 that what your home address was in 2002?

15 A. Yes, sir.

16 Q. Okay. If you look under withdrawals, it
17 says \$227,500. Do you know what that was for?

18 A. No, sir.

19 Q. Okay. Turn to the next page, which is MC
20 211, it says funds transferred, 227,500 per letter of
21 authorization. Was that from you, that letter?

22 A. I believe so.

23 Q. Okay. But you don't know what the
24 purpose of the transfer was for?

25 A. No, sir.

1 Q. Okay. Go to the next page, which is now
2 for 2003, it's MC 279. Again, it says Mario A.
3 Criscito, TTEE, has an address, 11 Chadwick Road,
4 Livingston, New Jersey. Did you live there in 2003?

5 A. Yes, sir.

6 Q. Under withdrawals, it says 16,597.29. Do
7 you know what that's for?

8 A. No, sir.

9 Q. If you turn the page, there is two checks
10 referenced. One is for 4,597.29, and the other is for
11 12,000. This is on page MC 282. If I do the
12 arithmetic, I believe it adds up to 16,597.29. Do you
13 agree?

14 A. Yes.

15 Q. So the first one says paid to Surf Club.
16 Was this again for food and entertainment?

17 A. Yes, sir.

18 Q. The second one says paid to TRC Holding.
19 Do you know what that is?

20 A. I think it was the corporation for real
21 estate.

22 Q. Okay. Were you an investor?

23 A. Yes, sir.

24 Q. And where was the real estate?

25 A. Down the shore.

1 Q. New Jersey?

2 A. Yes.

3 Q. Turn to the next page, which is MC 389.

4 Under withdrawals, it says a million dollars. Do you
5 see that?

6 A. Yeah.

7 Q. Do you know what that money was used for?

8 A. No, sir.

9 Q. Okay. On the next page, which is MC 390,
10 it says wired funds sent, million dollars, then it
11 says B-E-N-E, Diagnostic and Clinical. Does that
12 refresh your memory as to what the million dollars was
13 for?

14 A. That account was for the pension fund.

15 Q. Okay. When you say for the pension fund,
16 you mean an account, a different account other than
17 this one at Morgan Stanley?

18 A. This was -- this is Morgan Stanley's
19 account, pension fund, transferring it to my pension
20 fund at -- at --

21 Q. Sovereign Bank?

22 A. Sovereign Bank.

23 Q. Okay. Let's go to the next page, which
24 starts the year 2004. Again, a reference to Mario A.
25 Criscito, TTEE, 11 Chadwick Road, Livingston, New

1 Jersey. Was that your home address in 2004?

2 A. Yes, sir. You know what, I think so.

3 Q. As of January 31, 2004, was it your home
4 address?

5 A. Yes. I don't know. I don't know.

6 Q. Okay. If you look at Page MC 401, under
7 withdrawals, it says 4,494. Do you know what that was
8 for?

9 A. I see it on the other page, Surf Club.

10 Q. Right. If you go to the next page, MC
11 403, it says paid to the Surf Club. Was that again
12 for food and entertainment?

13 A. Correct.

14 Q. Turn to the next page, which is
15 withdrawals, 1,207.25. That's on MC 411. On MC 413,
16 it says funds paid, 1,207.25, paid to Surf Club?

17 A. Yes.

18 Q. This again is for food and entertainment
19 paid to the Surf Club?

20 A. Right.

21 Q. Go to the next page, which is MC 439. It
22 says withdrawals, \$2,000. Do you know what that is
23 for?

24 A. No, sir.

25 Q. Go to the next page, which is MC 473. It

1 says withdrawals, 14,490. Do you know what that's
2 for?

3 A. No, sir.

4 Q. Okay. If you turn to the next page,
5 which is MC 476, it says funds paid, 14,490, paid to
6 Richard Fairclough, F-A-I-R-C-L-O-U-G-H. Who is he?

7 A. I have no idea.

8 Q. No idea?

9 A. No.

10 Q. Do you believe these funds were paid to
11 him without your authorization?

12 A. I doubt it.

13 Q. Okay. But sitting here today, you don't
14 know who he is?

15 A. No.

16 Q. Turn to the next page, please, which is
17 MC 487. Under withdrawals, it says \$10,000, and on
18 the following page, MC 490, it says funds paid,
19 \$10,000, paid to Short Hills West, LLC. Do you see
20 that?

21 A. Yes, sir.

22 Q. What is Short Hills West, LLC?

23 A. A real estate organization.

24 Q. It says LLC. Were you a member?

25 A. Yes, sir.

1 Q. Was this an investment?

2 A. May have been a cash call.

3 Q. You don't remember?

4 A. No.

5 Q. Turn to the next page, please, which is
6 MC 501. If you look, it says withdrawals, \$10,000,
7 and then if you go to the page after that, which is MC
8 503, it says funds paid, \$10,000 to TRC Holding. Is
9 that the same TRC Holding you mentioned before?

10 A. Yes, sir.

11 Q. Do you know what this \$10,000 was for?

12 A. Expenses. I don't know.

13 Q. You don't know?

14 A. No. Don't know.

15 Q. We're now going into 2005. On MC 548,
16 under securities delivered, there's a reference to AIM
17 Technology B, amount \$76,022.05. Do you know what
18 that's for?

19 A. No, sir.

20 Q. Turn to the next page, which is MC 599,
21 under withdrawals, it says \$5,000, and on the next
22 page after that, MC 602, it says funds paid, \$5,000,
23 paid to Surf Club. So was this for food and
24 entertainment again?

25 A. I guess.

1 Q. We're now going to 2006, which starts
2 with MC 1138. It says withdrawals, 6,652.04, and on
3 the next page, MC 1141, it says funds paid, 6,652.04
4 paid to Surf Club. Is that again for food and
5 entertainment?

6 A. Yes, sir.

7 Q. Now, let me go back a moment, please, to
8 MC 599. There's now a reference on here to 32 Chelsea
9 Drive, Livingston, New Jersey. In May of 2005, was
10 that your home address?

11 A. Yes, sir.

12 Q. Okay. And on Page MC 1138, there's a
13 reference to 32 Chelsea Drive. Was that your home
14 address in 2006?

15 A. Yes, sir.

16 Q. Turn, please, to Page MC 1231. Under
17 debits, it says withdrawals, 200,941 and then if you
18 turn the page to MC 1233, there are two transfers that
19 add up to 200,941.01. Do you see that?

20 A. Yes.

21 Q. And for additional information, it says
22 direct rollover. Do you see that?

23 A. Yes.

24 Q. Okay. Where was that money rolled over
25 to?

1 A. An IRA.

2 Q. Do you know where?

3 A. At -- where is this coming from?

4 Q. This is from Morgan Stanley.

5 A. Oh, probably an IRA at Morgan Stanley.

6 Q. Okay. Turn, please, to Page MC 1234.

7 And under securities delivered, there is a series of

8 transfers, actually the first four to Account

9 769086649. Do you see that?

10 A. Yes, sir.

11 Q. Do you know whose account that is?

12 A. No.

13 Q. Okay. And down below, it says, there's
14 two transfers that say 769-086649-000. Do you know if
15 that's a different account from the other four
16 transfers?

17 A. I don't think so. No.

18 Q. You don't know whose account that is?

19 A. That may be the IRA.

20 Q. Okay. The same account where you said
21 the, on MC 1233, the 200,941.01 was rolled over?

22 A. The prior page?

23 Q. Yes. MC 1233.

24 A. I believe so, yes.

25 Q. Okay.

1 Q. Did you have more than one IRA at Morgan
2 Stanley in 2006?

3 A. No.

4 Q. If you turn to the next page, which is MC
5 1235, it says total securities delivered minus
6 1,403,544.33. Do you see that?

7 A. Yes.

8 Q. Were those all delivered to an IRA at
9 Morgan Stanley?

10 A. Yes, sir.

11 Q. Turn to the next page, which is MC 1255.
12 Under withdrawals it says minus \$20,000, and then on
13 the next page, MC 1257, it has funds transferred,
14 \$10,000 per letter of authorization, and then
15 underneath that, \$10,000 rollover. Do you see those
16 entries?

17 A. Yes, sir.

18 Q. Okay. Do you know what the \$10,000 per
19 letter of authorization was used for?

20 A. Not offhand, no, sir.

21 Q. Okay. And the 10,000 rollover you
22 believe was to an IRA at Morgan Stanley?

23 A. I --

24 Q. It has 769086649-0 as the account number?

25 A. Yes.

1 Q. Am I correct that as to all of the
2 withdrawals, Morgan Stanley didn't hold back any money
3 from you, you got the full amount of the withdrawals?

4 A. Correct.

5 Q. Okay. Do you know if a Form 1099 was
6 issued for any of these withdrawals?

7 A. I don't believe so.

8 Q. Do you know if you told anyone at
9 American Pension Corporation about any of these
10 withdrawals?

11 A. I don't believe so.

12 Q. Let me ask you a question. Any time that
13 there's a payment to the Surf Club, is that for food
14 and entertainment?

15 A. I believe so.

16 Q. Okay. Are there any other expenses that
17 you incurred at the Surf Club other than for food and
18 entertainment?

19 A. I don't believe so.

20 Q. Okay. Going back to Criscito Exhibit
21 33, the earliest account statement here on the first
22 page, which is MC 997, is for June 30, 1999. Do you
23 see that date?

24 A. Yes, sir.

25 Q. Do you recall if you took any

1 Exhibit 13 reflects withdrawals from both Sovereign
2 Bank and Morgan Stanley that you treated as
3 distributions?

4 A. I believe so.

5 Q. Have you ever added up the total amount
6 of withdrawals that you treated as distributions from
7 Sovereign Bank?

8 A. No.

9 Q. Have you ever added up the total amount
10 of withdrawals from Morgan Stanley that you treated as
11 distributions?

12 A. As of now, no.

13 Q. At any earlier time, did you?

14 A. I don't believe so. I don't know. I
15 don't know. I don't believe so.

16 Q. So sitting here today, you don't know
17 what the total amount of the withdrawals from
18 Sovereign Bank and Morgan Stanley that you treated as
19 distributions add up to?

20 A. Correct.

21 Q. Okay. You don't know if that number is
22 more or less or the same as the four and a half
23 million dollar 1099 form that was filed?

24 A. I can't recall, right, correct.

25 Q. Okay. Turn to the next page, please,

1 which is Bate stamped 25703, which actually looks like
2 the same note duplicated twice. Is that your
3 handwriting?

4 A. Yes. Looks like it.

5 Q. Okay. And there's a reference here, it
6 says Evelyn Langley Greer trust, and then underneath
7 that it says R-E-F, colon, Cylex, C-Y-L-E-X. Do you
8 know why Cylex is?

9 A. Defunct company, I think.

10 Q. And what about the Evelyn Langley Greer
11 trust, what is that?

12 A. I have no idea. I don't know.

13 Q. When you say Cylex is a defunct company,
14 is that something you invested in?

15 A. I believe so.

16 Q. Do you know what business Cylex was in?

17 A. No.

18 Q. You got the full amount of the \$75,000
19 without any withholding, correct?

20 A. Correct.

21 Q. Go to the next document, please, which is
22 Bate stamped 25704. Once again, this looks like the
23 same document was reproduced twice. There is a line
24 that says authorization, and underneath that it has
25 client signature, and to the right, there's a

1 security corporation.

2 Q. Is it something you invested in?

3 A. Yes.

4 Q. So the amount here is \$265,680. Was this
5 an investment?

6 A. Correct.

7 Q. Did you get the money back?

8 A. No.

9 Q. No?

10 A. No.

11 Q. Do you know if you deducted that as a
12 loss?

13 A. I don't know. I don't know.

14 Q. Turn to the next page, please, which is
15 Bate stamped 25707. Is this your writing on this
16 page?

17 A. It appears to be.

18 Q. Turn to the next page, please, which is
19 Bate stamped 25708. Who is the law firm R. C. Shea,
20 S-H-E-A, & Associates.

21 A. Where is that?

22 Q. That's on the fourth line.

23 A. Oh. He was the real estate lawyer.

24 Q. Okay. I forgot to ask. Did you prepare
25 this?

1 A. I don't recall, but --

2 Q. Is that your signature?

3 A. It appears to be, looks like it.

4 Q. Okay. You say a real estate lawyer.

5 For what?

6 A. The -- for the real estate in -- real
7 estate for down the shore.

8 Q. Okay. Was this a legal fee?

9 A. I don't -- I don't know.

10 Q. Okay. I mean as opposed to an
11 investment, that you were putting money into escrow?

12 A. I don't think it was a -- it may have
13 been, but I don't think it was a legal fee. I hope
14 not.

15 Q. Okay. Do you think this was a deposit or
16 a payment for a property?

17 A. May have been.

18 Q. But you don't know?

19 A. No.

20 Q. Okay. The property down the shore, did
21 you ever acquire an ownership interest in it?

22 A. That was an ownership, yes.

23 Q. Do you still own it?

24 A. No.

25 Q. Did you sell it?

1 A. I got out.

2 Q. When you say you got out, were you bought
3 out?

4 A. I was bought out.

5 Q. When was that?

6 A. Several years ago. I don't recall off
7 hand.

8 Q. Were you paid to be bought out?

9 A. I believe so.

10 Q. Do you remember how much?

11 A. No, I do not.

12 Q. Do you remember what you did with the
13 money when you were bought out?

14 A. I probably spent it.

15 Q. Okay. As opposed to depositing it into
16 either the Morgan Stanley pension account or the
17 Sovereign pension account?

18 A. I don't think so.

19 Q. The next page, 25709, there's an address,
20 at least it appears to be of 244 Main Street, Toms
21 River, New Jersey. Do you see that, under payee?

22 A. Oh, yes.

23 Q. Have you ever been to that address?

24 A. May have.

25 Q. Did you ever go to the law -- well, let

1 Q. Was he bought out?

2 A. I don't know if he was ever bought out,
3 no.

4 Q. It says Bajecac, et al. Who were the
5 other investors besides you and Dr. Bajecac?

6 A. His other associate. I don't recall his
7 name.

8 Q. Okay. What kind of real estate was this?

9 A. Vacant land.

10 Q. Do you know if it was ever developed?

11 A. They were going to. I don't know if they
12 did or not.

13 Q. It wasn't developed by the time you got
14 out?

15 A. No, sir.

16 Q. Turn to the next page, which is Bate
17 stamped 25714. At the top it says Mario A. Criscito,
18 and then underneath, handwritten, it says to Herb
19 Mendel. Is that your writing?

20 A. It appears to be.

21 Q. Above the name where it says thank you,
22 Mario A. Criscito, is that your signature?

23 A. May be.

24 Q. You're not sure?

25 A. I'm not sure.

1 Q. Do you remember sending this to Herb
2 Mendel around the date that's on there, January 7,
3 2002?

4 A. No, sir.

5 Q. Okay. It says: "Dear Herb, please be so
6 kind as to" --

7 A. No, it was sent to me, not to Herb
8 Mendel.

9 Q. No, the letter.

10 A. Oh, okay.

11 Q. Let me ask it again.

12 Do you remember sending this letter to
13 Herb Mendel around the date it was written?

14 A. I may have.

15 Q. Okay. It says: "Dear Herb, please be so
16 kind as to send me a check for \$20,000 made to the
17 'Surf Club' from Acc. No. 769-086347-070." Do you see
18 that?

19 A. Yes, sir.

20 Q. Do you know what account that was?

21 A. No.

22 Q. Was that \$20,000 for food and
23 entertainment?

24 A. Probably -- I don't know. May have been,
25 may not have been. I don't know. I don't recall.

1 Q. Did you have to pay annual dues at the
2 Surf Club?

3 A. 2002? I don't think so.

4 Q. Okay. You don't know what that 20,000
5 was for?

6 A. Not offhand, no.

7 Q. Is there a reason that you had the check
8 sent to you instead of directly to the Surf Club?

9 A. No.

10 Q. Turn to the next page, which is Bate
11 stamped 25715. Is that your handwriting where it says
12 "to H. Mendel"?

13 A. May have been, yes.

14 Q. Is that your signature above the name
15 Mario A. Criscito?

16 A. May have been.

17 Q. Did you send this to, this letter to Mr.
18 Mendel around the date on it, January 8, 2002?

19 A. I believe so.

20 Q. Okay. This says --

21 A. May have been. I don't know. Go ahead.

22 Q. Okay. This again asks him for a check
23 for the Surf Club, do you see that?

24 A. Yes, sir.

25 Q. This check is for 2,218.85. Do you know

1 what that was for?

2 A. The same. Same.

3 Q. What's --

4 A. Entertainment, food.

5 Q. Turn to the next page, which is Bate
6 stamped 25717. Is this your writing?

7 A. It appears to be.

8 Q. Is that your signature?

9 A. May be.

10 Q. You're not sure?

11 A. No.

12 Q. Is there a reason at this point you asked
13 Herb to transfer \$250,000 to Independence Community
14 Bank?

15 A. Not that I can recall, no.

16 Q. Turn the page, please.

17 A. Uh-hum.

18 Q. Is this your writing?

19 A. May be.

20 Q. Is that your signature toward the bottom?

21 A. May be.

22 Q. Can you read what this says?

23 A. "Dear Herb Mendel, please," I think it
24 says "forward me a check for \$1,342.70 from DCC P.A.
25 Pension Fund. Make the check payable to Surf Club."

1 Q. And then underneath, you said it appears
2 to be your signature, underneath the word "thanks"?

3 A. Right.

4 Q. Underneath that, what does it say?

5 A. DCC P.A. Pension Fund Trustee.

6 Q. Okay. And then what does it says below
7 that?

8 A. "P.S., send it to my home address."

9 Q. Is there a reason you wanted it sent to
10 your home address?

11 A. No.

12 Q. Were the other members of DCC aware of
13 your membership in the Surf Club?

14 A. I have no idea.

15 Q. Did you ever tell them about it?

16 A. I have no idea.

17 Q. Okay. Turn to the next page, please,
18 which is Bate stamped 25719. Is this your writing?

19 A. May have been. May be.

20 Q. You're not sure?

21 A. No.

22 Q. This asks, again, for a check from the
23 pension fund for \$4,597.29 made out to the Surf Club,
24 correct?

25 A. Correct.

1 Q. And then the P.S. says to also send the
2 check for \$12,000 made out to TRC Holding, correct?

3 A. Correct.

4 Q. There is two signatures on this, one
5 after the request for the Surf Club, and a second
6 after the request for the 12,000. Are those your
7 signatures?

8 A. May be.

9 Q. Is there a reason that you were asking
10 Herb Mendel to send you checks payable to the Surf
11 Club instead of paying them out of your own personal
12 checking account?

13 A. Well, I did a lot of entertaining for
14 doctors. I did a lot of entertaining for doctors,
15 used to come down there and whatnot, referrals, and I
16 would -- took it out of there.

17 Q. Okay. Turn to the next page, please,
18 which is Bate stamped 2570. Is this your writing?

19 A. Appears to be.

20 Q. It says "dear Marysue." Is that Marysue
21 McCarthy?

22 A. Yes, I believe so.

23 Q. And then this asks for \$14,490 to Richard
24 Fairclough. Do you see that?

25 A. Yes.

1 Q. Is that your signature?

2 A. Appears to be.

3 Q. I'm not sure if I asked you before, do
4 you know who Richard Fairclough is?

5 A. No.

6 Q. No. Okay. Turn to the next page,
7 please, which is Bate stamped 25722. Is this your
8 writing?

9 A. Appears to be.

10 Q. Does that appear to be your signature?

11 A. May be.

12 Q. Who is the Jane that you are saying,
13 "dear Jane"?

14 A. I don't know.

15 Q. Okay. Turn to Page 2574. Is this your
16 handwriting?

17 A. Appears to be.

18 Q. There is an address here of Champlain
19 Towers North, Apartment 110, 8877 Collins Avenue, Surf
20 Side, Florida. Do you see that?

21 A. Yes.

22 Q. Was that a condominium?

23 A. Yes.

24 Q. Did you own it?

25 A. Yes.

C E R T I F I C A T I O N

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I, NANCY A. MIANI, a Certified Court Reporter
and a Notary Public, License No. XI00814, do hereby
certify that the foregoing witness, MARIO A. CRISCITO,
M.D., was duly sworn by me on the date indicated, and
that the foregoing is a true and accurate
transcription of my stenographic notes.

I further certify that I am not employed by
nor related to any party to this action.



NANCY A. MIANI, C.S.R.
LICENSE NO. XI00814

EXHIBIT 58

Evelyn Langlieb Greer

Director
Fusion Telecommunications International Inc
New York , NY
Sector: TECHNOLOGY / Wireless Communications

59 Years Old

Ms. Greer has served as a Director since January 1999. Ms. Greer is the President of Greer Properties, Inc., a Florida-based commercial real estate development company she founded in 1976 which develops and operates shopping centers, and is a partner in the law firm of Hogan, Greer & Shapiro, P.A. Ms. Greer serves on the Board of Directors and Executive Committee of the Adrienne Arsht Performing Arts Center of Miami-Dade County, on the Board of Teachers for America-Miami, on the Board of The Company's Kids, Inc. and as a member of the Miami-Dade Cultural Affairs Council. She is Vice Chair of the Columbia Law School Board of Visitors, was a Director of City National Bank of Florida, N.A. from 2000 to 2008 and was a member of the Board of Trustees of Barnard College from 1994 to 2004. From 2004 to 2008, Ms. Greer was an elected member of the Miami-Dade County School Board, the 4th largest school system in the United States, and from 1996-2004 she served as the first Mayor of the Village of Pinecrest, Florida.

Director Compensation (Fusion Telecommunications International Inc)

Fees earned or paid in cash	\$0.00
Stock awards	\$0.00
Option awards (in \$)	\$1,687.00
Non-equity incentive plan compensation	\$0.00
Change in pension value and nondisqualified compensation earnings	\$0.00
All other compensation	\$0.00
Total Compensation	\$1,687.00

EXHIBIT 59



[Home](#) [About The Club](#) [Amenities](#) [Membership](#) [Catering](#) [Guest Information](#)

 Welcome to **The Surf Club**

Welcome to The Surf Club!

 **5 Star Amenities**

- ✓ Luxury Swimming Pool
- ✓ Fine Beachside Dining
- ✓ Steps from the Tide
- ✓ Resort Style Accommodations
- ✓ Clubhouse and Cabanas
- ✓ Close to the world famous
Bal Harbour Shops



 **Member Login**

Username:

Password:

☐ Remember my ID
[Forgot your password?](#)

 **Contact The Surf Club**

9011 Collins Avenue
Surfside, Florida 33154

Phone: 305-866-2481



[Home](#) [About The Club](#) [Amenities](#) [Membership](#) [Catering](#) [Guest Information](#)

About The Club

Miami Beach

History

Image

Since 1930 the Surf Club has been Miami's premier address for the very finest in dining and dancing in an atmosphere of elegant sophistication.

The club's glittering early parties hosted world famous personalities such as the Duke and Duchess of Windsor, Douglas Fairbanks, Jr., and General Douglas MacArthur. The parties played host to Metropolitan Opera soprano Lily Pons, New York chanteuse Hildegarde, and Elizabeth Taylor.

Other early guests include Winston Churchill, who painted seascapes from his Surf Club cabana, and 1950s General Motors' Chairman Charles Wilson. Wilson displayed the new car models each fall for the press and dealers in the Club's grand ballrooms.

In recent years, entertainer Tony Bennett sang for a club party, and the club has played host to Senator and Mrs. Robert Dole, former Vice President Dan Quayle, television journalist David Brinkley, and world famous singer Julio Iglesias.

The newly renovated Surf Club enters the twenty-first century as Miami's most elegant address for major charity balls for up to eight hundred people, as well as for lovely wedding receptions, intimate dinner parties, and business luncheons and meetings.

In addition to the excellent entertainment facilities, the Surf Club offers its members and guests the opportunity to stay at the Club, their 'home away from home.'

Image

Image

EXHIBIT 60

610 Corporate Drive, Building 6
Reading, PA 19605
Phone: 484-248-1210
Fax: 484-248-1120 or
484-248-1121

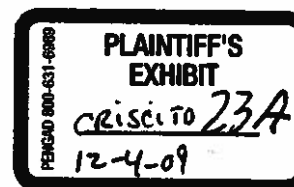


Fax

To: Stephen M. Charme, Esquire	From: Mandy Noll
Fax: 973-822-1188	Date: 8-27-2009
Phone:	Pages: 48 (Including cover sheet)
Re: Diagnostic & Clinical Cardiology PA	CC:
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	

•Comments:

Fax #1 of 2





Sovereign Bank

August 27, 2009

Witman Stadtmauer, P.A.
Attn: Stephen M. Charne, Esquire
26 Columbia Turnpike
Florham, NJ 07932-2246

RE: Dr. Fadi Chaaban, et al. vs. Dr. Mario A. Criscito
Our File No.: 200908050485

Dear Mr. Charne,

Pursuant to the Subpoena that was served on Sovereign Bank in reference to the accounts of Diagnostic & Clinical Cardiology P.A., enclosed are copies of the following records:

Time Deposit Account #1108007053001

Closed account report dated 8-21-06

History from 6-4-02 to 6-30-05

History from 8-1-05 to 7-31-06

Trial balances from 7-1-05 to 7-31-05

Trial balances from 8-1-06 to 8-21-06

Deposits and deposited items from 7-1-02 to 8-21-06

Withdrawals from 7-1-02 to 8-21-06

Signature card and supporting documents unavailable

Please be advised that our retention period for deposit account information is seven years. All available transactions have been sent to you.

Should you have any questions, please contact me at 484-248-1210.

Very Truly Yours,

Mandy Noh
Legal Specialist III

Invoice

Sovereign Bank
Attn: Legal Orders 10-610-RS1
610 Corporate Dr., Building 6
Reading, PA 19605
484-248-1206

Date: August 27, 2009

TO:
Witman Stadtmayer P.A.
Attn: Stephen M. Charme, Esquire
26 Columbia Turnpike
Florham, NJ 07932-2246

RE: Dr. Fadi Chaaban, et al. vs. Dr. Mario A. Criscito
Our File # 200908050485

QTY	DESCRIPTION	COST	TOTAL
3 hours	Research and processing fees	\$20.00	\$60.00
88 pages	Pages 1 - 100	\$1.00	\$88.00
0 pages	Pages 101 - 500	\$0.25	\$0.00
1	Shipping	\$5.00	\$5.00
SUB-TOTAL			\$153.00
AMT RECEIVED			\$55.00
TOTAL DUE			\$98.00

The bank has complied with your request and prompt attention to payment is greatly appreciated. Please make your check payable to Sovereign Bank and remit to the address listed above.

AFFIDAVIT OF RECORD CUSTODIAN

I, the undersigned, being duly sworn according to law, depose and say that I am a duly authorized Custodian of Records for Sovereign Bank with the authority to certify said records, and I hereby certify to the following:

1. The records attached hereto are true and correct copies of the records in my custody, and the records attached hereto contain any and all markings, characters, symbols, notations, legends, printings, writings, illustrations, photographs, photo reproduction and/or any other graphic representation appearing on the original records in my custody.
2. That, including this certification, all records which are in my custody, have been photocopied at my office, in my presence, and at my direction and under my supervision.
3. That unless qualified in paragraph (5), all records produced in my presence were prepared in the ordinary course of business by authorized personnel at or near the time of the act, condition, or event; and
4. A careful search has been made by me or at my direction for records, pertaining to Account # 1108007053001 and the records produced constitute and are all the records of the individual or individuals so identified.
5. Additional comments:

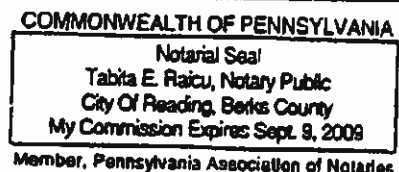
6. I declare that the foregoing facts as are within my personal knowledge are true and correct and the other facts contained herein are true and correct to the best of my knowledge, information and belief.

EXECUTED ON: 8-27-09 Reading PA
Date Location

Kelly Koehler
Print or type name

Team Leader 8.27.09
Title and position

Kelly Koehler Tabita E. Raicu
Signature



BANK	04	BRANCH	110	LIVINGSTON				
ACCOUNT NUMBER	NAME AND ADDRESS	--DATES-- LAST TRAN OPEN CLOSED	TRAN AMOUNT YTD INTEREST YTD PENALTY	-TYPE- TRAN CC POOLED ACCT CAUTION	SYS PSSEK OID OFFICE GL AA TY STATUS	HOME REDEEMED	CLUB EMP/OFF RSN APPI,	
1106007053001	DIAGNOSTIC & CLINICAL CARDIOLOGY PA	08/21/2006	3,388,916.11	0204	100	YES	9739940650	0
22-2323990	PENSION FUND	06/04/2002	119,395.20	NO	660	NO	9739941906	0
	TRUSTEE, MARIO CRISCITO	08/21/2006	0.00	NO	01	REDEEMED		CD
	32 CHELSEA DR							
	LIVINGSTON NJ 07039							

BANK 04

SAVINGS/TIME DEPOSIT
INDEPENDENCE COMMUNITY BANK
MONTHLY ACCOUNT HISTORY

ST501004

PAGE NO 50542
PROCESS DATE 04/26/04
PROCESS THRU 04/26/04

ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	TRC NBR	FED NBR	FED TX-Y
01108007053001	06/04/02	0102	6,091,424.29	00000	22039	6,091,424.29	TRANSFER DEP			
01108007053001	06/29/02	GT01	21,732.67			6,113,156.96	INTEREST EARNED			
01108007053001	07/30/02	GT01	26,013.40			6,139,170.36	INTEREST EARNED			
01108007053001	08/30/02	GT01	26,124.09			6,165,294.45	INTEREST EARNED			
01108007053001	09/28/02	GT01	25,387.22			6,190,681.67	INTEREST EARNED			
01108007053001	10/30/02	GT01	26,343.28			6,217,024.95	INTEREST EARNED			
01108007053001	11/29/02	GT01	25,600.23			6,242,625.18	INTEREST EARNED			
01108007053001	12/30/02	GT01	26,564.33			6,269,189.51	INTEREST EARNED			
TOTAL		(DB)	.00	0	(CR)	6,269,189.51	INTEREST EARNED			8

BANK 04

SAVINGS/TIME DEPOSIT
INDEPENDENCE COMMUNITY BANK
MONTHLY ACCOUNT HISTORY

ST501004

PAGE NO 58125
PROCESS DATE 04/26/04
PROCESS THRU 04/26/04

ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	TRC NBR	FED NBR	FED TX-Y
01108007053001	01/25/03	GT01	12,894.25			6,282,083.76	INTEREST EARNED			
01108007053001	01/25/03	GT02	232.87			6,281,850.89	PD INT, PENALTY			
01108007053001	01/25/03	0202	200,000.00	00000	15226	6,081,850.89	TRANSFER WDL			
01108007053001	01/30/03	GT01	13,343.79			6,095,194.68	INTEREST EARNED			
01108007053001	02/27/03	0100	1,850,000.00	00000	21396	7,945,194.68	CASH DEP			
01108007053001	02/27/03	GT01	23,675.54			7,968,870.22	INTEREST EARNED			
01108007053001	03/29/03	GT01	33,910.04			8,002,780.26	INTEREST EARNED			
01108007053001	04/29/03	GT01	32,953.54			8,035,733.80	INTEREST EARNED			
01108007053001	05/30/03	GT01	34,194.56			8,069,928.36	INTEREST EARNED			
01108007053001	06/28/03	GT01	33,230.05			8,103,158.41	INTEREST EARNED			
01108007053001	07/30/03	GT01	34,481.47			8,137,639.88	INTEREST EARNED			
01108007053001	08/29/03	0202	200,000.55	00000	26972	7,937,639.33	TRANSFER WDL			
01108007053001	08/30/03	GT01	34,573.41			7,972,212.74	WAIVE: PENALTY-N			
01108007053001	09/19/03	GT01	20,775.20			7,992,987.94	INTEREST EARNED			
01108007053001	09/19/03	0202	150,000.00	00000	21191	7,842,987.94	TRANSFER WDL			
01108007053001	09/29/03	GT01	11,826.29			7,854,814.23	WAIVE: PENALTY-N			
01108007053001	10/10/03	GT01	10,766.66			7,865,580.89	INTEREST EARNED			
01108007053001	10/10/03	0201	74,867.00	00000	23714	7,790,713.89	CHECK WDL			
01108007053001	10/30/03	GT01	22,442.37			7,813,156.26	WAIVE: PENALTY-N			
01108007053001	11/29/03	GT01	32,172.72			7,845,328.98	INTEREST EARNED			
01108007053001	12/26/03	0100	1,000,000.00	00000	25546	8,845,328.98	CASH DEP			
01108007053001	12/30/03	GT01	34,069.45			8,879,398.43	INTEREST EARNED			
TOTAL		(DB)	625,100.42	5	(CR)	3,235,309.34	INTEREST EARNED			17

BANK 04

SAVINGS/TIME DEPOSIT
INDEPENDENCE COMMUNITY BANK
MONTHLY ACCOUNT HISTORY

ST501004

PAGE NO 18152
PROCESS DATE 04/03/06
PROCESS THRU 04/03/06

ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	TRC NBR	FED NBR	FED TX-Y
01108007053001	01/07/04	0100	232.87	00000	15429	8,879,631.30	CASH DEP			
01108007053001	01/22/04	GT01	26,728.84			8,906,360.14	INTEREST EARNED			
01108007053001	01/22/04	0202	250,000.00	00000	21132	8,656,360.14	TRANSFER WDL			
01108007053001	01/30/04	GT01	10,648.88			8,667,009.02	WAIVE: PENALTY-N			
TOTAL		(DB)	250,000.00	1	(CR)	37,610.59	INTEREST EARNED			3

[illegible]

[illegible]

BANK	04								SAVINGS/TIME DEPOSIT INDEPENDENCE MONTHLY ACCOUNT HISTORY		*ST501004*	PAGE NO PROCESS DATE 04/30/05 PROCESS THRU 04/30/05
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	BALANCE	DESCRIPTION / SOURCE			
	01108007053001	03/18/05	0100	95,975.00	00000	30445		4,282,972.14	CASH DEP	TRC NBR: 5663		BRN: 011 03/18/05 13.15
	01108007053001	03/25/05	0201	14,454.70				4,297,426.84	INTEREST EARNED			
	01108007053001	03/25/05	0202	50,000.00	00000	27445		4,247,426.84	TRANSFER WDL	TRC NBR: 3092		BRN: 011 03/25/05 10.45
	01108007053001	03/30/05	0201	3,492.23				4,250,919.07	WAIVE: PENALTY-N	FED TX-Y		CLS-N 03/30/05 10.45
		TOTAL	(DB)	50,000.00	1	(CR)		113,921.93	INTEREST EARNED			W/D TYPE-PARTL
BANK	04								SAVINGS/TIME DEPOSIT INDEPENDENCE MONTHLY ACCOUNT HISTORY		*ST501004*	PAGE NO PROCESS DATE 05/31/05 PROCESS THRU 05/31/05
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	BALANCE	DESCRIPTION / SOURCE			
	01108007053001	04/08/05	0102	500,000.00	00000	32750		4,750,919.07	TRANSFER DEP	TRC NBR: 5248		BRN: 011 04/08/05 9.25
	01108007053001	04/29/05	0201	19,013.30				4,769,932.37	INTEREST EARNED			
		TOTAL	(DB)	.00	0	(CR)		519,013.30	INTEREST EARNED			
BANK	04								SAVINGS/TIME DEPOSIT INDEPENDENCE MONTHLY ACCOUNT HISTORY		*ST501004*	PAGE NO PROCESS DATE 06/30/05 PROCESS THRU 06/30/05
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	BALANCE	DESCRIPTION / SOURCE			
	01108007053001	05/02/05	0201	1,306.92				4,771,239.29	INTEREST EARNED			BRN: 011 05/02/05 8.03
	01108007053001	05/02/05	0202	100,000.00	00000	33760		4,671,239.29	TRANSFER WDL	TRC NBR: 5663		CLS-N 05/02/05 8.03
	01108007053001	05/24/05	0201	14,097.97				4,685,337.26	WAIVE: PENALTY-N	FED TX-Y		W/D TYPE-PARTL
	01108007053001	05/24/05	0202	200,000.00	00000	22444		4,485,337.26	INTEREST EARNED			
	01108007053001	05/28/05	0201	4,302.78				4,489,640.04	TRANSFER WDL	TRC NBR: 5663		BRN: 011 05/24/05 12.35
		TOTAL	(DB)	300,000.00	2	(CR)		19,707.67	WAIVE: PENALTY-N	FED TX-Y		CLS-N 05/28/05 12.35
BANK	04								SAVINGS/TIME DEPOSIT INDEPENDENCE MONTHLY ACCOUNT HISTORY		*ST501004*	PAGE NO PROCESS DATE 07/30/05 PROCESS THRU 07/30/05
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	BALANCE	DESCRIPTION / SOURCE			
	01108007053001	06/10/05	0201	6,153.98				4,495,794.02	INTEREST EARNED			BRN: 011 06/10/05 8.23
	01108007053001	06/10/05	0202	100,000.00	00000	28188		4,395,794.02	TRANSFER WDL	TRC NBR: 5248		CLS-N 06/10/05 8.23
	01108007053001	06/29/05	0201	12,058.96				4,407,852.98	WAIVE: PENALTY-N	FED TX-Y		W/D TYPE-PARTL
		TOTAL	(DB)	100,000.00	1	(CR)		18,212.94	INTEREST EARNED			
BANK	04								SAVINGS/TIME DEPOSIT INDEPENDENCE MONTHLY ACCOUNT HISTORY		*ST501004*	PAGE NO PROCESS DATE 09/30/05 PROCESS THRU 09/30/05
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	BALANCE	DESCRIPTION / SOURCE			
	01108007053001	08/05/05	0201	2,964.09				4,329,354.46	INTEREST EARNED			BRN: 011 08/05/05 7.50
	01108007053001	08/05/05	0202	166,706.87	00000	28911		4,162,647.59	TRANSFER WDL	TRC NBR: 5248		CLS-N 08/05/05 7.50
	01108007053001	08/30/05	0201	14,851.28				4,177,498.87	WAIVE: PENALTY-N	FED TX-Y		W/D TYPE-PARTL
		TOTAL	(DB)	166,706.87	1	(CR)		17,815.37	INTEREST EARNED			

BANK	04	SAVINGS/TIME DEPOSIT										*ST501004*										PAGE NO	32797
ACCOUNT		DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	HISTORY	BALANCE	DESCRIPTION / SOURCE	TRC	NBR:	PROCESS	DATE	THRU	10/31/05							
01108007053001		09/14/05	GT01	8,018.78				4,185,517.65	INTEREST EARNED				PROCESS	10/31/05									
01108007053001		09/14/05	0202	100,000.00	00000	19581		4,085,517.65	TRANSFER WDL			5189											
01108007053001		09/29/05	GT01	8,963.77	1	(CR)		4,094,481.42	WAIVE: PENALTY-N			5189	CLS-N	09/14/05	8.02								
01108007053001		TOTAL	(DB)	100,000.00				16,982.55	INTEREST EARNED			2		W/D	TYPE-PARTL								
BANK	04	SAVINGS/TIME DEPOSIT										*ST501004*										PAGE NO	25860
ACCOUNT		DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	HISTORY	BALANCE	DESCRIPTION / SOURCE	TRC	NBR:	PROCESS	DATE	THRU	11/30/05							
01108007053001		10/29/05	GT01	17,423.30				4,111,904.72	INTEREST EARNED				PROCESS	11/30/05									
01108007053001		TOTAL	(DB)	.00	0	(CR)		17,423.30	1														
BANK	04	SAVINGS/TIME DEPOSIT										*ST501004*										PAGE NO	25139
ACCOUNT		DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	HISTORY	BALANCE	DESCRIPTION / SOURCE	TRC	NBR:	PROCESS	DATE	THRU	12/31/05							
01108007053001		11/28/05	GT01	15,800.89				4,127,705.61	INTEREST EARNED				PROCESS	12/31/05									
01108007053001		11/28/05	0202	100,000.00	00000	25007		4,027,705.61	TRANSFER WDL			5177	BRN: 011	11/28/05	11.56								
01108007053001		11/29/05	GT01	1,103.55				4,028,809.16	WAIVE: PENALTY-N				CLS-N	11/28/05	W/D	TYPE-PARTL							
01108007053001		TOTAL	(DB)	100,000.00	1	(CR)		16,904.44	INTEREST EARNED			2											
BANK	04	SAVINGS/TIME DEPOSIT										*ST501004*										PAGE NO	32973
ACCOUNT		DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	HISTORY	BALANCE	DESCRIPTION / SOURCE	TRC	NBR:	PROCESS	DATE	THRU	01/31/06							
01108007053001		12/10/05	GT01	5,522.32				4,034,331.48	INTEREST EARNED				PROCESS	01/31/06									
01108007053001		12/10/05	0202	150,000.00	00000	17809		3,884,331.48	TRANSFER WDL			5476	BRN: 011	12/10/05	10.52								
01108007053001		12/30/05	GT01	11,189.43				3,895,520.91	WAIVE: PENALTY-N				CLS-N	12/10/05	W/D	TYPE-PARTL							
01108007053001		TOTAL	(DB)	150,000.00	1	(CR)		16,711.75	INTEREST EARNED			2											
BANK	04	SAVINGS/TIME DEPOSIT										*ST501004*										PAGE NO	25690
ACCOUNT		DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	HISTORY	BALANCE	DESCRIPTION / SOURCE	TRC	NBR:	PROCESS	DATE	THRU	02/28/06							
01108007053001		01/27/06	GT01	14,433.78				3,909,954.69	INTEREST EARNED				PROCESS	02/28/06									
01108007053001		01/27/06	0202	100,000.00	00000	29966		3,809,954.69	TRANSFER WDL			5476	BRN: 011	01/27/06	10.52								
01108007053001		01/30/06	GT01	2,088.07				3,812,042.76	WAIVE: PENALTY-N				CLS-N	01/27/06	W/D	TYPE-PARTL							
01108007053001		TOTAL	(DB)	100,000.00	1	(CR)		16,521.85	INTEREST EARNED			2											
BANK	04	SAVINGS/TIME DEPOSIT										*ST501004*										PAGE NO	24303
ACCOUNT		DATE	TC	AMOUNT	BAT	SEQ	MONTHLY ACCOUNT	HISTORY	BALANCE	DESCRIPTION / SOURCE	TRC	NBR:	PROCESS	DATE	THRU	03/31/06							
01108007053001		02/08/06	GT01	4,179.59				3,816,222.35	INTEREST EARNED				PROCESS	03/31/06									
01108007053001		02/08/06	0202	15,000.00	00000	20624		3,801,222.35	TRANSFER WDL			5946	BRN: 011	02/08/06	11.53								
01108007053001		02/09/06	GT01	520.71				3,801,743.06	WAIVE: PENALTY-N				CLS-N	02/09/06	W/D	TYPE-PARTL							
01108007053001		02/09/06	0202	35,000.00	00000	22727		3,766,743.06	TRANSFER WDL			5476	BRN: 011	02/09/06	8.55								
01108007053001		02/27/06	GT01	9,815.95				3,776,559.01	WAIVE: PENALTY-N				CLS-N	02/09/06	W/D	TYPE-PARTL							
01108007053001		TOTAL	(DB)	50,000.00	2	(CR)		14,516.25	INTEREST EARNED			3											

BANK	ACCOUNT	DATE	TC	AMOUNT	SAVINGS/TIME INDEPENDENCE	DEPOSIT	HISTORY	DESCRIPTION / SOURCE	PAGE NO
BANK	04								32451
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	PROCESS DATE THRU
	01108007053001	03/30/06	GT01	16,070.44			3,792,629.45	INTEREST EARNED	04/29/06
		TOTAL	(DB)	.00	0	(CR)	16,070.44	1	04/29/06
BANK	04								
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	PAGE NO
	01108007053001	04/06/06	GT01	66,000.00	00000	27016	3,858,629.45	TRANSFER DEP	05/31/06
	01108007053001	04/29/06	GT01	15,834.48			3,874,463.93	INTEREST EARNED	05/31/06
		TOTAL	(DB)	.00	0	(CR)	81,834.48	2	8.03
BANK	04								
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	PAGE NO
	01108007053001	05/05/06	GT01	2,654.46	00000	31217	3,877,118.39	INTEREST EARNED	06/30/06
	01108007053001	05/05/06	GT01	100,000.00			3,777,118.39	TRANSFER WDL	06/30/06
	01108007053001	05/30/06	GT01	13,475.82			3,790,594.21	WAIVE: PENALTY-N	05/05/06
		TOTAL	(DB)	100,000.00	1	(CR)	16,130.28	2	13.13
BANK	04								
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	PAGE NO
	01108007053001	06/03/06	GT01	1,557.99	00000	23582	3,792,152.20	INTEREST EARNED	07/31/06
	01108007053001	06/03/06	GT01	20,000.00			3,772,152.20	CHECK WDL	07/31/06
	01108007053001	06/29/06	GT01	13,976.67			3,786,128.87	WAIVE: PENALTY-N	06/03/06
		TOTAL	(DB)	20,000.00	1	(CR)	15,534.66	2	8.20
BANK	04								
	ACCOUNT	DATE	TC	AMOUNT	BAT	SEQ	BALANCE	DESCRIPTION / SOURCE	PAGE NO
	01108007053001	07/05/06	GT01	2,593.95	00000	26888	3,788,722.82	INTEREST EARNED	08/31/06
	01108007053001	07/05/06	GT01	130,000.00			3,658,722.82	TRANSFER WDL	08/31/06
	01108007053001	07/14/06	GT01	4,513.22	00000	29567	3,663,236.04	WAIVE: PENALTY-N	07/05/06
	01108007053001	07/14/06	GT01	262,000.00			3,401,236.04	TRANSFER WDL	07/05/06
	01108007053001	07/29/06	GT01	7,929.38	2	(CR)	3,409,165.42	WAIVE: PENALTY-N	07/14/06
		TOTAL	(DB)	392,000.00			15,036.55	3	9.58

1

BANK 04										SAVINGS/TIME DEPOSIT										*ST31IU *										PAGE NO																			
										INDEPENDENCE																				SATURDAY										42143									
ACCOUNT NUMBER										COMBINED TRIAL BALANCE										CLOSING BALANCE										RA										PROCESS									
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ACT 100										6,646.52																														**CODES**									
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CD/PSBK CUST 01108007053										4,407,852.98																														NR									
TOTAL CURR BAL										TOTAL ACCR INT																														C									
BANK 04										1																																							
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										INDEPENDENCE																				MONDAY										42150									
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ACT 100										7,251.25																														THRU 07/11/2005									
CARDIOLOGY DI										19,310.21																														**CODES**									
CD/PSBK CUST 01108007053										4,407,852.98																														AP									
TOTAL CURR BAL										TOTAL ACCR INT																														NR									
BANK 04										1																																							
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										INDEPENDENCE																				TUESDAY										42162									
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1108007053001										117,379.64										4,306,115.26																				DATE 07/12/2005									
ACT 100										7,856.05																														THRU 07/12/2005									
CARDIOLOGY DI										19,915.01																														**CODES**									
CD/PSBK CUST 01108007053										4,407,852.98																														AP									
TOTAL CURR BAL										TOTAL ACCR INT																														NR									
BANK 04										1																																							
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CD/PSBK CUST 01108007053										4,407,852.98																														AP									
TOTAL CURR BAL										TOTAL ACCR INT																														NR									
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BANK 04										1																																							

BANK 04										SAVINGS/TIME DEPOSIT										*ST31IU *										PAGE NO									
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CD/PSBK CUST 01108007053										1,774.32																				NR									
TOTAL CURR BAL										1,774.32																				C									
BANK 04										TOTAL ACCR INT										1,774.32										NO OF ACCS									
SAVINGS/TIME DEPOSIT																														1									
INDEPENDENCE																																							
ACCOUNT NUMBER										CURRENT BALANCE										CLOSING BALANCE										PAGE NO									
SHORT NAME										YTD INTEREST PAID										RA										PROCESS DATE 07/18/2005									
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BANK 04										TOTAL ACCR INT										2,365.92										NO OF ACCS									
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INDEPENDENCE																																							
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INDEPENDENCE																																							
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SAVINGS/TIME DEPOSIT																														1									
INDEPENDENCE																																							
ACCOUNT NUMBER										CURRENT BALANCE										CLOSING BALANCE										PAGE NO									
SHORT NAME										YTD INTEREST PAID										RA										PROCESS DATE 07/22/2005									
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SAVINGS/TIME DEPOSIT																														1									
INDEPENDENCE																																							

4,316,918.90	TOTAL ACCR INT
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4,218,170.50

AP
NR

BANK 04										SAVINGS/TIME DEPOSIT										*ST31IU *										PAGE NO																			
										INDEPENDENCE										TUESDAY										PROCESS																			
										COMBINED TRIAL BALANCE										RA										THRU 08/01/2006																			
ACCOUNT NUMBER										1108007053001										3,409,165.42										934.08										34935									
SYS										ACCR RATE										CURRENT BALANCE										YTD INTEREST PAID										NR									
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CD/PSBK CUST 01108007053										TOTAL CURR BAL										3,409,165.42										TOTAL ACCR INT										C									
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100										5.000000										3,409,165.42										109,644.51										PROCESS									
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CD/PSBK CUST 01108007053										TOTAL CURR BAL										3,409,165.42										TOTAL ACCR INT										**CODES**									
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SYS										ACCR RATE										CURRENT BALANCE										YTD INTEREST PAID										PAGE NO									
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CD/PSBK CUST 01108007053										TOTAL CURR BAL										3,381,033.84										TOTAL ACCR INT										**CODES**									
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SYS										ACCR RATE										CURRENT BALANCE										YTD INTEREST PAID										PAGE NO									
100										5.000000										3,381,033.84										1,389.65										PROCESS									
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CD/PSBK CUST 01108007053										TOTAL CURR BAL										3,381,033.84										TOTAL ACCR INT										**CODES**									
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100										5.000000										3,381,033.84										1,853.00										PROCESS									
CARDIOLOGY DI										660										1,853.00										1,853.00										THRU 08/07/2006									
CD/PSBK CUST 01108007053										TOTAL CURR BAL										3,381,033.84										TOTAL ACCR INT										**CODES**									
BANK 04																				1,853.00										NO OF ACCS										1									

BANK 04										SAVINGS/TIME DEPOSIT										*ST31IU * PAGE NO																			
										INDEPENDENCE										TUESDAY										35127									
ACCOUNT NUMBER										COMBINED TRIAL BALANCE										PROCESS										DATE 08/15/2006									
SHORT NAME										YTD INTEREST PAID										PROCESS										THRU 08/15/2006									
1108007053001										PROJECTED ACCRUED										PROCESS										**CODES**									
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CARIOLOGY DI										YTD INTEREST PAID										PROCESS										THRU 08/16/2006									
CD/PSBK CUST 01108007053										PROJECTED ACCRUED										PROCESS										**CODES**									
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										6,025.97										3,302,765.54										AP									
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1108007053001										COMBINED TRIAL BALANCE										PROCESS										DATE 08/17/2006									
CARIOLOGY DI										YTD INTEREST PAID										PROCESS										THRU 08/17/2006									
CD/PSBK CUST 01108007053										PROJECTED ACCRUED										PROCESS										**CODES**									
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CARIOLOGY DI										YTD INTEREST PAID										PROCESS										THRU 08/18/2006									
CD/PSBK CUST 01108007053										PROJECTED ACCRUED										PROCESS										**CODES**									
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										TOTAL ACCTR INT										6,953.99										NR									
BANK 04										TOTAL ACCTR INT										NO OF ACCTS										1									
ACCOUNT NUMBER										SAVINGS/TIME DEPOSIT										*ST31IU * PAGE NO																			
SHORT NAME										INDEPENDENCE										SATURDAY										35184									
1108007053001										COMBINED TRIAL BALANCE										PROCESS										DATE 08/19/2006									
CARIOLOGY DI										YTD INTEREST PAID										PROCESS										THRU 08/20/2006									
CD/PSBK CUST 01108007053										PROJECTED ACCRUED										PROCESS										**CODES**									
										111,512.93										CLOSING BALANCE										RA									
										7,882.27										3,304,621.84										AP									
										TOTAL ACCTR INT										7,882.27										NR									
BANK 04										TOTAL ACCTR INT										NO OF ACCTS										1									
ACCOUNT NUMBER										SAVINGS/TIME DEPOSIT										*ST31IU * PAGE NO																			
SHORT NAME										INDEPENDENCE										MONDAY										35206									
1108007053001										COMBINED TRIAL BALANCE										PROCESS										DATE 08/21/2006									
CARIOLOGY DI										YTD INTEREST PAID										PROCESS										THRU 08/21/2006									
CD/PSBK CUST 01108007053										PROJECTED ACCRUED										PROCESS										**CODES**									
										119,395.20										CLOSING BALANCE										RA									
										0.00										0.00										AP									
										TOTAL ACCTR INT										0.00										CR									
BANK 04										TOTAL ACCTR INT										NO OF ACCTS										1									

DEPOSIT

Enter Your Account Number

1	5	7	0	0	3	4	5	0	4
---	---	---	---	---	---	---	---	---	---

☒ Checking
 ☐ Passbook Savings
 ☐ Statement Savings
 ☐ CD

Sign Maria Cusato

Address 11 Chadwick Rd

Date 1/15/02

Independence

Community Bank

Cash	
Check	200.00
Total	
Less Cash Returned	
Deposit	200.00

1071

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF ICB'S FUNDS AVAILABILITY

1572: 1108007033001

DEPOSIT

DOLLARS		CENTS
1	CK	
2		
3		
4	DEPOSIT	
5		
6		
7		
8	\$200,000.00	
9		
10		
11		
12		
13		
14		
15	110/03092/05092	
16	01/15/2003	
17		
18		
TOTAL		

0005
01/25/2003

570031504

INDEPENDENCE COMMUNITY BANK

WITHDRAWAL FROM
INDEPENDENCE
COMMUNITY BANK

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

AMOUNT \$200,000 -

To: 5700 34 509

1/25/2003

Charge to Account No. 1108007053001

Depositor's
Name

Supervisor's
Approval

Mario Cusato Pension Fund

1073 REV. 6/99

0005
01/25/2003

110/03092/03092
01/15/2003
EFF SOR ST
Trans \$200,000.00

1108007053 001
\$200,000.00

WITH

INDEPENDENCE C

DEPOSIT

Enter Your Account Number 001

1	1	0	8	0	0	7	0	5	3
---	---	---	---	---	---	---	---	---	---

☒ Checking
 ☐ Passbook Savings
 ☐ Statement Savings
 ☒ CD

Sign Diagnostic & Clinical
Cardiology PA
 Address Pension Fund
 Date 9/27/03

Independence
Community Bank

1071

Cash		
Check	1,850 ⁰⁰	00
Total		
Less Cash Returned		
Deposit	1,850,000	00

DEPOSIT

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY.

ENTER TOTAL ON THE FRONT OF THIS TICKET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL
<div style="display: flex; justify-content: space-between; font-size: 12px;"> <div> <p>0015 02/27/2003</p> </div> <div> <p>110/03092</p> </div> <div> <p>1108007053 001 \$1,850,000.00 AVAILABLE BALANCE</p> </div> <div> <p>DEPOSIT \$7,945,194.68</p> </div> </div>																		
<div style="display: flex; justify-content: space-between;"> <div>Cash</div> <div>\$1,850,000.00</div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>																		

INDEPENDENCE COMMUNITY BANK

PLEASE ENDORSE ALL CHECKS
CHECKS LIST SEPARATELY

DEPOSIT

Enter Your Account Number

	5	7	0	0	3	4	5	0	4
--	---	---	---	---	---	---	---	---	---

☒ Checking
 ☐ Passbook Savings
 ☐ Statement Savings
 ☐ CD

Sign Mario Guisquito

Address 11 Chadwick Rd

Date 8/29/2023

Independence

Community Bank

F7: 110800.7053001

DEPOSIT

Cash		
Check	200,000	55
Total	200,000	55
Less Cash Returned		
Deposit	200,000	55

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDOS AVAILABILITY

DOLLARS		CENTS
1	CK	
2		
3		
4	DEPOSIT	
5		
6		
7		
8		
9	\$200,000.55	
10	570034504	
11		
12		
13		
14		
15	110/03092	
16		
17		
18		
TOTAL	0058 08/29/2003	

INDEPENDENCE COMMUNITY BANK

WITHDRAWAL FROM
INDEPENDENCE
COMMUNITY BANK

to: 5700 34504

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

8/29/2003

AMOUNT \$200,000.55

Charge to Account No. 1108007053001

Depositor's
Name

Diagnostic & Clinical Card.

Supervisor's
Approval



1073 REV. 6/99

-0058
08/29/2003

110/03092

1108007053 001
\$200,000.55

W11

ST
Trans \$200,000.55

INDEPENDENCE

Independence **TELLER CHECK** 441928928
Community Bank

Pay To The Order Of **LANDROVER OF PARSIPPANY** Date **10/10/2003**

\$74,867.00
Seventy-Four Thousand Eight Hundred Sixty-Seven Dollars

[Signature]
Teller, Independence Community Bank

Deposited in Full at Independence Community Bank
Main One Main St. Parsippany, NJ 07054

⑆254399⑆ ⑆102000979⑆ 25004419289289⑆ ⑆0007486700⑆

025950

1020-0019-9
0224329173

618-12-12

4247043
6201919341

INDEPENDENCE BANK OF NEW JERSEY
SECURITY MARK C-6-3420912
HOLD AT ARCADE FOR DEPOSIT ONLY
TO VENDOR STOP PAYEE OF PARSIPPANY
NCI # 5102214035

WITHDRAWAL


Enter Your Account Number
110800705301 Amt \$ 74,867.00

☒ Checking ☐ Passbook Savings ☐ Statement Savings ☒ CD Bankch. purchased

Pay the amount of
Seventy four eigh hundred sixty seven

Sign [Signature] Date 10-10-03

Address 11 Chadwick Rd.

 **Independence**
Community Bank

WITHDRAWAL

0079
10/10/2003

110/05248

TOR ST

1108007053 001
\$74,867.00
AVAILABLE
BALANCE

\$7,790,713.89
\$7,790,713.89

INDEPENDENCE COMMUNITY BANK

DEPOSIT

DEPOSIT

Enter Your Account Number

1108007053

001

☐ Checking

☐ Passbook Savings

☐ Statement Savings

☒ CD

Sign


Diagnostic & Clinical Care

Address

11 Chadwick Road

Date

1/22/2003

 **Independence**
Community Bank

1071

Cash		
Check	1,000.00	-
Total	1,000.00	-
Less Cash Returned		
Deposit	1,000.00	-

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY

Debil Gl. 110127

COLLAGE		LEVIS
1		
2		CD
3		
4		
5	DEPOSIT	
6	\$8,845,328.98	
7	\$8,845,328.98	
8		
9		
10	1308097053 001	
11	\$1,000,000.00	
12	AVAILABLE	
13	BALANCE	
14		
15	ST	
16	Cash \$1,000,000.00	
17		
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157		

{1120} OMAD:

20031226B1Q1371D00007912261206FT01

#####

02 #### FT PROD #### FT INCOMING ####NORMAL MSG/ACCTG ENTRY####
 {3100} Sender: 021001088 MARINE NYC {2000} Amount: \$1,000,000.00
 {3400} Receiver: 226071211 INDEPENDENCE SAV {3500} Bus Function Code: CTR
 {1510} Type Code: 1000
 {3700} Charges: S
 {5000} Originator: D7690863470

{5100} Originator's FI:

MARIO A CRISCITO TTEE
 U/A DTD 04/01/76
 11 CHADWICK ROAD
 LIVINGSTON NJ 07039-1903
 D000135798

MORGAN STANLEY DW INC

~~CLIENT WIRE ACCOUNT~~

{5200} Instructing FI:

195 BROADWAY 17TH FL
 NEW YORK NY 10007
 BMSNYUS33DWD
 MORGAN STANLEY AND CO INC
 1 PIERREPONT PLAZA
 BROOKLYN NY 11201

{4200} Beneficiary:

D1108007053001
 DIAGNOSTIC CLINICAL
 CARDIOLOGY
 MARIO A CRISCITO TRUSTEE
 11 CHADWICK RD

{6500} FI to FI Info:

(BKCD)CRED

{1520} IMAD:

20031226B1Q8984C001624

{3320} Sender Ref:

360ISB4453900000

{1110} Timestamp:

12261208FT01

{1120} OMAD:

20031226B1Q1371D00008012261208FT01

#####

Statistics for session 2:

Number of Host Application messages processed: 3
 Number of Host Service (DFS, ...) messages processed: 0
 Number of Acknowledgement messages processed: 0


Total Incoming queue count processed: 3

FEDLINE Incoming Processor (FLIP) ended normally.

DEPOSIT

Enter Your Account Number
570034504


☒ Checking ☐ Passbook Savings ☐ Statement Savings ☐ CD

for 

Sign Maria A. Cicciotto

Address 11 Chadwick Rd.

Date 1/22/2004

 **Independence**
Community Bank

1071

FR. 110 000 7053 001

Cash		
Check	250,000	-
Total	250,000	-
Less Cash Returned		
Deposit	250,000	-

DEPOSIT

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY

DOLLARS		CENTS
1		CD
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
TOTAL		

0029
01/22/2004

110705248

FOR DEPOSIT

Trans \$250,000.00

1108007053 001

\$250,000.00

WITHDRAWAL

INDEPENDENCE COMMUNITY BANK

WITHDRAWAL FROM
INDEPENDENCE
COMMUNITY BANK

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

TO: 570034504

1/22/2004

AMOUNT \$250.00

Charge to Account No. 1108007053001

Depositor's
Name

Supervisor's
Approval

Diagnostic & Clinical Card.

1073 REV. 6/99

0029 110705248
01/22/2004 TOR

570034504
\$250.000.00

DE

INDEPENDENCE

DEPOSIT

Enter Your Account Number


	0	7	0	0	3	4	5	0	4
--	---	---	---	---	---	---	---	---	---

☒ Checking ☐ Passbook Savings ☐ Statement Savings ☐ CD

Sign Mario Cuicita

Address 11 Chadwick Rd

Date 4/2/2004

 **Independence**
Community Bank

1071

Cash		
Check	100,000	—
Total	100,000	—
Less Cash Returned		
Deposit	100,000	—

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B. FUNDS AVAILABILITY

DOLLARS		CENTS
1		
2		
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11		
12		
13		
14		
15		
16		
17		
18		
TOTAL		

0015
04/02/2004

110/05384
TOR

SP0034504
\$100,000.00

DEPOSIT

CK

INDEPENDENCE COMMUNITY BANK

INDEPENDENCE COMMUNITY BANK

WITHDRAWAL FROM INDEPENDENCE
COMMUNITY BANK

TO: 570034504

5/2/2004

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

AMOUNT \$ 100,000 -

Charge to Account No. 110800 7053 001

Depositor's
Name

Diagnostic & Clinical Card.

Supervisor's
Approval

[Signature]

1073 REV. 6/99

0015
04/02/2004


110/05384

1108007053 001
\$100,000.00

WT:

TOR ST
Trans \$100,000.00

INDEPENDENCE

DEPOSIT									
Enter Your Account Number									
5700345041									
<input checked="" type="checkbox"/> Checking <input type="checkbox"/> Passbook Savings <input type="checkbox"/> Statement Savings <input type="checkbox"/> CD									
Sign <u>Mario Cisneros</u>									
Address <u>11 Chadwick Rd</u>									
Date <u>5-6-04</u>									
 Independence Community Bank									
1071									
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY									
DEPOSIT									

COLARS		CENTS
1		
2		
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6		
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10		
11		
12		
13		
14		
15		
16		
17		
18		
TOTAL		

ENTER TOTAL ON THE FRONT OF THIS TICKET

INDEPENDENCE COMMUNITY BANK

WITHDRAWAL FROM
INDEPENDENCE
COMMUNITY BANK

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

TNT: 570034504

3259143.02
AMOUNT \$

Charge to Account No. 1108007053001

Depositor's
Name

Diagnostic & Clinical

Supervisor's
Approval

J. Key

1073 REV. 6/99

0056-
05/06/2004

110/05663

1108007053 001
\$3,259,143.02

TOR ST
Trans \$3,259,143.02

W1

INDEPENDENCE

DEPOSIT

Enter Your Account Number


570034504

☒ Checking
 ☐ Passbook Savings
 ☐ Statement Savings
 ☐ CD

Sign Diagnostic

Address 11 Chadwick

Date 11-1-04


Independence
 Community Bank

1071

DEPOSIT

Cash		
Check		
Total	23,475.01	
Less Cash Returned		
Deposit	23,475.01	

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY

DEPOSIT

Enter Your Account Number


570034504

☒ Checking
 ☐ Passbook Savings
 ☐ Statement Savings
 ☐ CD

Sign Diagnostic

Address 11 Chadwick

Date 11-1-04


Independence
 Community Bank

1071

DEPOSIT

Cash		
Check		
Total	23,475.01	
Less Cash Returned		
Deposit	23,475.01	

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY

ENTER TOTAL ON THE FRONT OF THIS TICKET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
										570034504									
										\$23,475.01									
										DEPOSIT									
										CK									
										11/01/2004									
										110/05663									
										0016									
										11/01/2004									
										TOTAL									

PLEASE ENDORSE ALL CHECKS
CHECKS LIST SINGLY

INDEPENDENCE COMMUNITY BANK

WITHDRAWAL


Enter Your Account Number 1108007053 001 Amt \$ 23,475.01

☐ Checking ☐ Passbook ☐ Statement ☒ AC
Savings Savings

Pay the amount of Twenty three thousand four hundred seventy five and 01/100

Sign [Signature] Date 11/1/04

Address 11 Chadwick Rd

 **Independence**
Community Bank

WITHDRAWAL

0016
11/01/2004

110/05663

1108007053 001
\$23,475.01

WITHDRAWAL CD

TOR ST
Trans \$23,475.01

INDEPENDENCE COMMUNITY BANK

Independence
Teller Check

206557986

Pay To The Order Of **SURF CLUB**

Date **01/07/2005**

Five Thousand Dollars

[Signature]

254399 102000479 25002065574869 7000050000

559234

0677413529

1017 57009

5102170239

1017 57009

5102170239

WITHDRAWAL


Enter Your Account Number
1108007053 Amt \$ 5,000.-

☒ Checking ☐ Passbook ☐ Statement ☐ CD
Savings Savings

Pay the amount of

Sign [Signature] Date 1/7/05

Address _____

1072  **Independence**
Community Bank

WITHDRAWAL

0019
01/07/2005

110/05663/05248
SOR ST

1108007053 001
\$5,000.00 WITHDRAWAL CD
AVAILABLE \$5,573,071.34
BALANCE \$5,573,071.34

INDEPENDENCE COMMUNITY BANK

[illegible]

WITHDRAWAL


Enter Your Account Number
1108607053 Amt \$ 20,000 ⁰/₁₀₀

☒ Checking ☐ Passbook Savings ☐ Statement Savings ☐ CD

Pay the amount of _____

Sign [Signature] Date 1/7/04

Address _____

1072  **Independence**
Community Bank

WITHDRAWAL


0021
01/07/2005

110/05663/05248
SQR ST

1108007053 001
\$20,000.00
AVAILABLE
BALANCE

WITHDRAWAL CD
\$5,553,071.34
\$5,553,071.34

INDEPENDENCE COMMUNITY BANK

DEPOSIT	Enter Your Account Number													
	1106011727													
	<input checked="" type="checkbox"/> Checking <input type="checkbox"/> Passbook Savings <input type="checkbox"/> Statement Savings <input type="checkbox"/> CD													
	Sign <u>Home Theater Architects</u>													
	Address <u>Livingston</u>													
	Date <u>1/21/05</u>													
	 Independence Community Bank										DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY.			
		Cash												
		Check	50,000											
		Total	50,000											
		Less Cash Returned												
		Deposit	50,000	-										
		DEPOSIT												

TNF: 1108007053001

PLEASE ENDORSE ALL CHECKS CHECKS LIST SEPARATELY																	
DOLLARS CENTS																	
0087 01/21/2005 110/05248 1106011727 50,000.00 DEPOSIT CK																	
TOTAL																	
INDEPENDENCE COMMUNITY BANK																	
ENTER TOTAL ON THE FRONT OF THIS TICKET																	

WITHDRAWAL


Enter Your Account Number
1108007053⁰⁰¹ Amt \$ 50,000 -

☒ Checking ☐ Passbook ☒ Statement Savings ☐ CD Savings

Pay the amount of fifty thousand and 0/100

Signature [Signature] Date 1/21/05

Address Livingston

 **Independence**
Community Bank

1072 TNT: 1106011727

WITHDRAWAL

0087 110/05248
01/21/2005

1108007053 001
\$50,000.00

WITHDRAWAL CD

ST
Trans \$50,000.00

INDEPENDENCE COMMUNITY BANK

DEPOSIT

Enter Your Account Number

6	7	0	0	3	4	5	0	4
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☒ Checking
 ☐ Passbook Savings
 ☐ Statement Savings
 ☐ CD

Sign Maria Cisaito

Address 32 Chelsea Dr.

Date 2/10/05

Independence
Independence Community Bank
S.A. Bank & Trust

1071

DEPOSIT

Cash		
Check	122,423	-
Total	122,423	-
Less Cash Returned		
Deposit	122,423	-

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF I.C.B.'S FUNDS AVAILABILITY

ENTER TOTAL ON THE FRONT OF THIS TICKET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL
<div style="display: flex; justify-content: space-between;"> <div>0019 02/10/2005</div> <div>110/85605 TOR</div> <div>570034504 \$122,423.00</div> <div>DEPOSIT</div> <div>CK</div> </div>																		
INDEPENDENCE COMMUNITY BANK																		

PLEASE ENDORSE ALL CHECKS
CHECKS LIST SERIAL

WITHDRAWAL FROM
INDEPENDENCE
COMMUNITY BANK

To: 570 034504

2/10/05

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

AMOUNT \$ 122,423 -

Charge to Account No. 1108007053001

Depositor's Name Diagnostic & Clinical Card.

Supervisor's Approval [Signature]

1073, REV. 8/99

0019
02/10/2005

110/05605

1108007053 001
\$122,423.00

WITH

TOR ST
Trans \$122,423.00

INDEPENDENCE

DEPOSIT

Enter Your Account Number

5	7	0	0	3	4	5	0	4
---	---	---	---	---	---	---	---	---

☒ Checking
 ☐ Passbook Savings
 ☐ Statement Savings
 ☐ CD

Sign Diagnosie Maria Guscato

Address 82 Chelsea Dr.

Date 9/16/05

Independence

Independence Community Bank
A Bank & Trust

1071

Cash		
Check	1,186.150	—
Total	1,186.150	—
Less Cash Returned		
Deposit	1,186.150	—

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL. CHECKS AND OTHER ITEMS RECEIVED FOR DEPOSIT ARE SUBJECT TO THE TERMS AND CONDITIONS OF L.C.B.'S FUNDS AVAILABILITY.

F-7 1108007083001

DEPOSIT

ENTER TOTAL ON THE FRONT OF THIS TICKET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL
<div style="display: flex; justify-content: space-between; padding: 5px;"> <div>0028 02/16/2005</div> <div>110/05663 TOR</div> <div>570034504 \$1,186.150.00</div> <div>DEPOSIT</div> <div>CK</div> </div>																		

PLEASE ENDORSE ALL CHECKS
CHECKS LIST SINGLY

INDEPENDENCE COMMUNITY BANK

WITHDRAWAL FROM
INDEPENDENCE
COMMUNITY BANK

TO: 570034504

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

AMOUNT \$1,186,150 -

2/16/05

Charge to Account No. 1108007053001

Depositor's
Name

Diagnostic Clinical (Doctor Cause to)

Supervisor's
Approval

[Signature]

1073 REV. 6/99

0028
02/16/2005

110/05663

TOR ST
Trans \$1,186,150.00

1108007053 001
\$1,186,150.00

WITH

INDEPENDENCE

DEPOSIT

EITHER TOTAL ON THE FRONT OF THIS TICKET

INDEPENDENCE COMMUNITY BANK

LINE	DATE	DESCRIPTION	AMOUNT	CURRENCY	UNIT	TOTAL
1	02/18/2005	DEPOSIT	110601177	USD		
2	02/18/2005	DEPOSIT	350,000.00	USD		
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TOTAL						

PLEASE ENDORSE ALL CHECKS
CHECKS LIST SINGLY

WITHDRAWAL FROM
INDEPENDENCE
COMMUNITY BANK

To: 11060 11727

FOR:

- ☐ RETURNED CHECK
☐ LOAN DELINQUENCY
☐ DIVIDEND REMITTANCE
☐ PRINCIPAL PAYOUT
☐ PREM. PAYT.-S.B.L.I.

AMOUNT \$50,000 -

2/18/05

Charge to Account No. ~~11060~~ 7053001

Depositor's Name Diagnostic & Clinical Card.

Supervisor's Approval [Signature]

1073 REV. 8/99

INDEPENDENCE

WITH

1108007053 001
\$50,000.00

TRANS
TOR ST
\$50,000.00

110/05248

0014
02/18/2005

EXHIBIT 61

MARIO A. CRISCITO

January 14, 2002

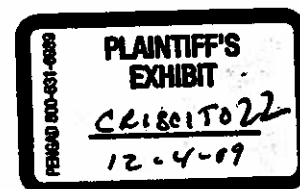
DEAR HERB,

**PLEASE BE SO KIND AS TO SEND ME A CHECK FOR \$ 6,000,000.00 SIX
MILLION DOLLARS FROM ACC. NO. 769-086347-070**

THANK YOU,


MARIO A. CRISCITO

**11 CHADWICK ROAD LIVINGSTON, NEW JERSEY 07039-1903
TEL. 973-994-0650; FAX. 973-994-1906**



25716